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Application No. 10/654,943
Response to Notice to File Missing Parts
Dated: 11/25/03

DOCKET NO: 242501US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

CHRISTOPHER DEAN, ET AL. : EXAMINER: UNASSIGNED

SERIAL NO: 10/654,943 :

FILED: SEPTEMBER 5, 2003 : GROUP ART UNIT: 2123

FOR: ADAPTABLE RESOURCE MODEL

02/02/2004 EFLORES 00000048 10654943

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130.00 OP

PETITION UNDER 37 C.F.R. § 1.47(a)

Applicants hereby petition the United States Patent and Trademark Office (hereinafter "USPTO") under 37 CFR §1.47(a) to accept the Declaration and Power of Attorney for Patent Application 10/654,943 and consider the new application filed by the signing inventors (i.e., Mr. Christopher Dean, Mr. Stephen Mason, Mr. Cyril Soga, Mr. Julien Brainerd, Mr. Alain Lemoine, Mr. Ed Maciver and Mr. Dmytro Toptygin) as having been filed on behalf of themselves and their joint inventor (i.e., Mr. David Cuillerier) who "cannot be found or reached after diligent effort" to preserve the rights of the Assignee, EFTIA OSS Solutions, Inc.

As set forth in Exhibits A, B, C, and D attached hereto, significant efforts were made to contact Mr. Cuillerier. Exhibit A, signed by Linda Gorman, an EFTIA employee, includes Mr. Cuillerier's last known address and phone number and a list of steps taken to reach Mr. Cuillerier. Ms. Gorman indicates that Mr. Cuillerier's last known phone number is no longer in service. Further, Ms. Gorman indicates that a courier, UPS, was unable to deliver a package addressed to Mr. Cuillerier at his last known address, because he had moved. Exhibit B includes an internet tracking report for this package, and Exhibit C includes a photocopy of the shipping label that indicates the package was returned to shipper, stating as the reason, "Receiver Moved." In addition, Ms. Gorman indicates that she attempted to

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contact Mr. Cuillerier using email, but received no response. In addition, Ms. Gorman indicates that she spoke with the father of Mr. Cuillerier, "who was going to give David the message to contact Eftia," but she did not receive a call. Ms. Gorman also indicates that she called Mr. Cuillerier's father again, but he did not answer and she left a voice message. Finally, Ms. Gorman indicates that she searched for Mr. Cuillerier using Canada411.com, an internet search and phone directory service, but after making several calls to those listed as "D. Cuillerier," was unable to find Mr. David Cuillerier. Exhibit D includes a printout of a Canada411.com display with a listing of phone numbers for "D Cuillerier."

Accordingly, Applicants request that the already filed Declaration and Power of Attorney signed by Mr. Christopher Dean, Mr. Stephen Mason, Mr. Cyril Soga, Mr. Julien Brainerd, Mr. Alain Lemoine, Mr. Ed Maciver and Mr. Dmytro Toptygin be accepted on behalf of themselves and the unavailable inventor Mr. David Cuillerier, who cannot be found after diligent effort by the Assignee as outlined above and noted in the attached exhibits.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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eftia

150 Isabella Street
Suite 900
Ottawa, Ontario
K1S 1V7

January 13, 2004

Search for David Cuillerier

Last known address: 171 Lees Avenue, Apt 1611
Ottawa, ON K1S 5P3

Last known phone number: 613-234-3227

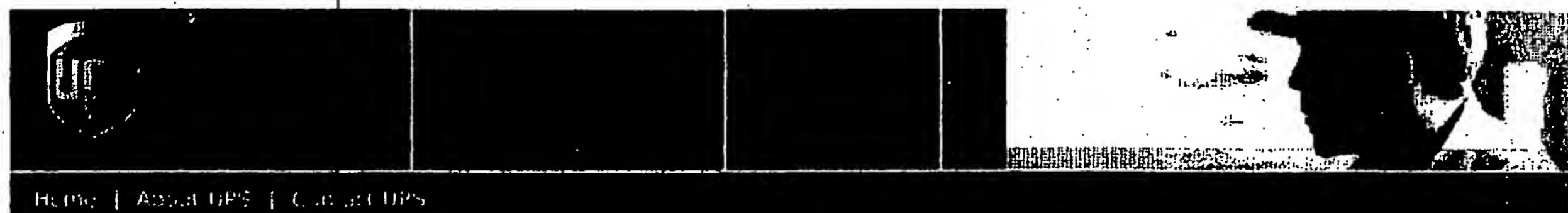
- phone number no longer in service
- courier unable to deliver, moved
- provided email addresses from colleagues, received no response
- spoke with father, who was going to give David the message to contact Eftia, never received a call back. Called father again no answer and left a voice message
- searched Canada411, made several calls to D Cuillerier, no David

Still continuing the search for David Cuillerier

Sincerely,



Linda Gorman
Tel: 613-564-4407 x2579
Fax: 613-368-3872

**Tracking**

- Track by Tracking Number
- Track by Reference Number
- Import Tracking Numbers
- Track by E-mail
- Get Quantum View Files
- Void a Shipment
- Help

Log-In User ID:

Password:



Forgot Password

Req

Track by Tracking Number

View Details

Status: Exception
Shipped to: OTTAWA, ON, CA
Shipped or Billed on: 27 Oct 2003

Tracking Number: 1Z 05X 19X DA 7431 844 5
Service Type: EXPRESS SAVER

Package Progress:

28 Oct 2003	11:33	OTTAWA, ON, CA	RECEIVER MOVED, NOT DELIV
	3:00	OTTAWA, ON, CA	OUT FOR DELIVERY
	2:00	OTTAWA, ON, CA	ARRIVAL SCAN

Tracking results provided by UPS: 28 Oct 2003 15:29 Eastern Time

NOTICE: UPS authorizes you to use UPS tracking systems solely to track shipments tendered by or for you to delivery and for no other purpose. Any other use of UPS tracking systems and information is strictly prohibited.

[← Back to Tracking Summary](#)[↑ Back to Top](#)

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United Parcel Service

Daily Manifest Customer Copy

Page : 1

EFTIA OSS SOLUTIONS
150 ISABELLA ST
FLOOR: 9TH
OTTAWA, ON, K1S1V7

Domestic Shipments

UPS SHIPPER NUMBER:

05X19X

PICK UP RECORD #:

4461088010

DATE SHIPPED:

27/OCT/2003

EDI

Reference	Consignee Information	Service	Postal Code	Zone	Weight	Published Charge	Incentive Credit	Billed Charge
LINDA		Express Saver	K1S 5P3	500	0	8.60		8.60
Payment Type P/P	DAVID CUILLERIER 171 LEES AVE, APT 1611 OTTAWA, ON, K1S 5P3 CA	Delivery Confirmation				2.75		2.75
Bill to Account		Total:				11.35		11.35
Bill to Company								
PACKAGES	Tracking Number	Delivery Confirmation		Weight	COD Amount	Declared Value		
	1Z05X19XDA74318445	Adult Signature Required		0				
		Total:	1 Package(s)		11.35		11.35	

CUILLERIER NUMBER

4089-P028-0008

CUILLERIER D.

Call 1-800-PICK-UPS (1-800-742-5877) r visi
Appelez le 1-800-742-5877 ou naviguez sur notre si

Aposez les étiquettes dans cet espace

Options : 1 Étiquette de suivi UPS et étiquette d'adresse

Aposez l'étiquette de suivi à la gauche de l'étiquette d'adresse.
Inscrivez votre numéro de compte UPS à l'aide d'un tampon-encreur
au-dessus de l'étiquette d'adresse.

2 Formulaire d'expédition pour le service UPS Express

3 Connaissement UPS

LINDA GORMAN
EFTIA OSS SOLUTIONS
PHONE: 613-564-4407
150 ISABELLA ST
FLOOR: 9TH
OTTAWA ON K1S1V7



**RETURN TO SHIPPER
RETURN TO SHIPPER**

REASON FOR RETURN:
RECEIVER MOVED, NOT DELIVERED
 ORIGINAL RECEIVER:
CUILLERIER, D

11/25/2003 11:12 4089-P028-0008

EUR

(420) SHIP TO POSTAL CODE

(420) K1S-1V7



BILLING: P/P
ADULT SIGNATURE REQUIRED - MIN 18



01112097

**SIGNATURE D'UN ADULTE REQUISE
ADULT SIGNATURE REQUIRED**

Ir address lab |
t of r below the address label.
er above the address label.
um nt

[Home Page](#) > [Canada411](#) > [Find a Person](#) > [Results](#)

Canada 411™

The Phone Directory for Everyone

Find a person**Total Found: 11**[Refine Search](#) [Start Over](#) [FAQs](#) [Search Tips](#)

Name (click for details)	Address	City	Prov.	Phone
Cuillerier, Denis	249 rue Shamrock	Pincourt	QC	(514) 453-1275
Cuillerier, Daniel	83 Ch Napoleon	Val-des-Monts	QC	(819) 457-4289
Cuillerier, Daniel	2760 Lonsdale Ave	North Vancouver	BC	(604) 988-0335
Cuillerier, Daniel	8669 rue Rejane	Lasalle	QC	(514) 363-0066
Cuillerier, Daniel		Brooks	AB	(403) 501-0031
Cuillerier, Donald	6585 32Av	Rsmt	QC	(514) 376-9037
Cuillerier, Donald	195 av 43E RR 1	Sainte-Barbe	QC	(450) 371-5098
Cuillerier, Dan	4986 Portage Rd	Niagara Falls	ON	(905) 357-6480
Cuillerier, Daniel	38 Muskoka Crt	London	ON	(519) 858-2242
Cuillerier, Daniel	8901 rue Marcel-Cadieux	Montreal	QC	(514) 384-0866
Cuillerier, Donald	RR 5	Lucknow	ON	(519) 395-2294

How
you
a trip
with

Step 1: Enter person's name

Hint: Use full or partial name. First name optional.

LAST: **CUILLERIER**FIRST: **D****Step 2: Enter person's location**

Hint: Adding location will improve your search results

CITY/TOWN:
(optional)PROVINCE: **Search All****Step 3:**[FAQs](#) [Search Tips](#) ExpediaUse of the information in Canada411 for commercial or illegal purposes is strictly prohibited.
See terms of use.